In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R.No.771 of 2007 (O&M)
Decided on February 13,2007

Smt. Sumitra --- Petitioner

vs.

Harwinder Singh and others --- Respondents.

Present: Mr. Suneet Sharma, Advocate,for the petitioner

Pritam Pal,J:(Oral)

This Civil Revision by Smt.Sumitra, is directed against order dated February 03,2007,passed by Civil Judge (Junior Division), Ludhiana, whereby her objections filed in an execution proceedings for taking possession of the disputed shop were dismissed.

It is an admitted fact that litigation between the parties had already gone up to the Hon'ble Apex Court, but the petitioner/ objector/judgment debtor failed before all the Courts and it appears that in the end, when the possession of the disputed shop was going to be handed over to the Decree Holder/respondent, she (petitioner) again did her best to take frivolous objection. In that, she pleaded that she had never received any summons from the Court and that she had also not signed any *vakalatnama* in favour of her any Advocate. On these two points, the Executing Court had framed issues and ultimately, finding was again returned against her. It is well established on the basis of

documents that she was appearing in the main litigation and had also signed *vakalatnama* and written statement and ultimately, the case was decided on merit in accordance with law in favour of the Decree Holder up to the Hon'ble Apex Court.

Thus, taking an over-all view of the facts and circumstances of this Civil Revision, this Court does not find any illegality or irregularity in the impugned order, whereby the objections filed by the judgment debtor/objector were dismissed and warrant of possession of the disputed shop was ordered to be issued in favour of the Decree Holder. Hence, this Civil Revision stands dismissed.

February 13,2007 (Pritam Pal)
RR Judge